IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

Bail Appl..No. 6082 of 2007()

CRIME NO.93/07 OF MANNAR POLICE STATION

PETITIONER : ACCUSED NO.11 IN CRIME NO.93/07.

REMANAN @ SANTHOSH @ MANJAKILI,
AGED 34 YEARS, S/O.RAGHAVAN, RESIDING
PERUVANTHARAYIL VEEDU, MUKKAM COLONY BHAGOM
ERAMATHUR MURI, CHENNITHALA VILLAGE, MURI,
VALLIKUNNAM VILLAGE.

BY ADV. SRI.P.GOPAKUMARAN NAIR

RESPONDENTS: COMPLAINANT IN CRIME NO. 93/2007.

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6082 of 2007

Dated this the 8th day of October, 2007

ORDER

Application for regular bail. The petitioner is the 11th accused. Altogether there are 12 accused persons. The alleged incident took place on 7.4.07. On account of animosity, which the 1st accused entertained towards the defacto complainant on the suspicion that the defacto complainant was responsible for passing on information to the excise officials who conducted a raid in the hotel of the 1st accused and arrested the 1st accused and his wife, the 1st accused along with co-accused were members of an unlawful assembly of persons armed with dangerous weapons and had trespassed into a shed occupied by the defacto complaint and unleashed an attack on him. The petitioner was not named as an accused in the F.I.R. Later investigation revealed his complicity and he has been arrayed as an accused. He was arrested on 20.09.07. He continues in custody from that date.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. He points out that the prosecution has not assigned any overt act against the petitioner. Even the allegation is only that the petitioner was present along with co-accused and had helped them.

3. The learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

4. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 20.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of 3 months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-